

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIMON J. BURCHETT PHOTOGRAPHY, INC.,

Plaintiff,

v.

SEEKING ALPHA, INC.,

Defendant.

No. 20 CV 07634 (JPO) (DCF)

**DEFENDANTS' OFFER OF
JUDGMENT PURSUANT TO FED.
R. CIV. P. 68**

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, defendant Seeking Alpha, Inc. ("Defendant") hereby offers to allow judgment to be taken against it by plaintiff Simon J. Burchett Photography, Inc. ("Plaintiff") in the above-captioned action for a payment by Defendant to Plaintiff in the amount of two thousand five hundred U.S. dollars (\$2,500).

Such offer of judgment shall be inclusive of all costs and attorneys' fees, and shall not include injunctive relief, impoundment, or any non-monetary remedies.

This offer of judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure, and is not to be construed either as an admission that Defendant is liable in this civil action, or that Plaintiff has suffered any damages.

Dated: New York, New York
October 8, 2020

MITCHELL, SILBERBERG & KNUPP LLP

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